

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 64th LEGISLATURE - REGULAR SESSION

COMMITTEE ON STATE ADMINISTRATION

Call to Order: Chair Jeff Essmann, on March 20, 2015 at 8:00 AM, in Room 455 Capitol

ROLL CALL

Members Present:

Rep. Jeff Essmann, Chair (R)
Rep. Bill Harris, Vice Chair (R)
Rep. Casey Schreiner, Vice Chair (D)
Rep. Bryce Bennett (D)
Rep. Bob Brown (R)
Rep. Moffie Funk (D)
Rep. Frank Garner (R)
Rep. Edward Greef (R)
Rep. Debra Lamm (R)
Rep. Forrest Mandeville (R)
Rep. Wendy McKamey (R)
Rep. Dale Mortensen (R)
Rep. Jean Price (D)
Rep. Ray L. Shaw (R)
Rep. Kathy Swanson (D)
Rep. Susan Webber (D)

Members Excused:

Rep. Denise Hayman (D)
Rep. Jessica Karjala (D)
Rep. Austin Knudsen (R)
Rep. Art Wittich (R)

Members Absent: None

Staff Present: Jennifer Petersen, Committee Secretary
Sheri Scurr, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 594, 3/16/2015; HB 601, 3/16/2015; SB 293, 3/16/2015; HB 607, 3/16/2015; SB 380, 3/16/2015

00:00:00 Chair Essmann

HEARING ON HB 594

Opening Statement by Sponsor:

00:01:26 Rep. Steve Fitzpatrick (R), HD 20, opened the hearing on HB 594, Provide sanctions for frivolous campaign or election complaints.

Proponents' Testimony:

00:05:15 Jonathan Motl, Commissioner of Political Practices (COPP)

EXHIBIT(sth58a01)

00:10:13 Jeff Laszloffy, Montana Family Foundation (MFF)

00:10:37 *Rep. Wittich arrives*

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:13:30 Rep. Garner
 00:13:48 Rep. Fitzpatrick
 00:14:49 Rep. Garner
 00:15:20 Rep. Fitzpatrick
 00:16:25 Rep. Lamm
 00:16:44 Rep. Fitzpatrick
 00:17:33 Rep. B. Bennett
 00:17:55 Rep. Fitzpatrick
 00:18:25 Jonathan Motl, COPP
 00:20:49 Rep. Wittich
 00:21:10 Rep. Fitzpatrick
 00:21:17 Rep. Wittich
 00:22:22 Rep. Fitzpatrick
 00:22:46 Rep. Wittich
 00:22:56 Rep. Fitzpatrick
 00:23:02 Rep. Wittich
 00:24:01 Rep. Fitzpatrick
 00:24:40 Rep. Wittich
 00:25:00 Rep. Fitzpatrick
 00:25:32 Rep. B. Brown
 00:26:12 Jonathan Motl, COPP
 00:26:32 Rep. B. Brown
 00:27:09 Jonathan Motl, COPP
 00:27:48 Rep. B. Brown
 00:28:05 Jonathan Motl, COPP
 00:29:17 Rep. B. Brown
 00:29:25 Jonathan Motl, COPP
 00:29:56 Chair Essmann
 00:30:24 Rep. Fitzpatrick
 00:30:53 Chair Essmann

00:31:35 Rep. Fitzpatrick
00:32:02 Chair Essmann
00:32:32 Rep. Fitzpatrick
00:33:15 Chair Essmann
00:34:02 Rep. Fitzpatrick
00:35:35 Rep. B. Bennett
00:36:07 Jonathan Motl, COPP
00:37:26 Rep. B. Bennett
00:37:52 Jonathan Motl, COPP
00:38:13 Rep. Lamm
00:38:44 Rep. Fitzpatrick
00:39:08 Jonathan Motl, COPP
00:39:22 Rep. Lamm
00:39:41 Jonathan Motl, COPP
00:39:53 Vice Chair Schreiner
00:40:21 Rep. Fitzpatrick
00:40:47 Vice Chair Schreiner
00:41:06 Rep. Fitzpatrick
00:41:25 Rep. Wittich
00:42:44 Rep. Fitzpatrick
00:43:24 Rep. Wittich
00:44:12 Rep. Fitzpatrick
00:45:11 Rep. McKamey
00:45:37 Rep. Fitzpatrick
00:46:37 Rep. McKamey
00:46:53 Rep. Fitzpatrick
00:48:05 Vice Chair Schreiner
00:48:40 Rep. Fitzpatrick
00:49:47 Vice Chair Schreiner
00:50:24 Rep. Fitzpatrick

Closing by Sponsor:

00:51:06 Rep. Fitzpatrick

00:51:19 Chair Essmann
00:51:37 Rep. Berry

HEARING ON HB 601**Opening Statement by Sponsor:**

00:51:49 Rep. Tom Berry (R), HD 40, opened the hearing on HB 601, Revise term limits for legislators.
00:54:08 Chair Essmann

Proponents' Testimony: None**Opponents' Testimony:**

00:54:26 Ed Butcher, self
01:06:20 Tim Ravndal, self

01:06:48 Jean Ruppert, Butte, MT, self

Informational Testimony:

01:07:43 Linda McCulloch, Secretary of State (SOS)

Questions from Committee Members and Responses:

01:09:18 Rep. Mandeville
01:10:23 Ed Butcher, self
01:12:56 Rep. Greef
01:15:02 Ed Butcher, self
01:18:42 Rep. McKamey
01:19:19 Ed Butcher, self
01:19:37 Rep. McKamey
01:20:15 Ed Butcher, self
01:20:32 Rep. McKamey
01:20:44 Ed Butcher, self
01:23:15 Rep. McKamey
01:23:36 Ed Butcher, self
01:24:00 Vice Chair Schreiner
01:24:48 Ed Butcher, self
01:26:38 Vice Chair Schreiner
01:26:55 Ed Butcher, self
01:28:04 Vice Chair Schreiner
01:28:20 Ed Butcher, self
01:28:37 Vice Chair Schreiner
01:29:15 Ed Butcher, self
01:30:12 Rep. B. Brown
01:31:03 Rep. Berry
01:31:14 Rep. B. Brown
01:31:16 Rep. Berry
01:31:25 Chair Essmann
01:31:31 Rep. B. Brown
01:31:40 Rep. Berry
01:31:52 Chair Essmann
01:32:21 Ed Butcher, self
01:32:25 Chair Essmann
01:32:40 Ed Butcher, self
01:33:30 Chair Essmann
01:34:04 Ed Butcher, self

Closing by Sponsor:

01:35:52 Rep. Berry
01:38:52 Chair Essmann, Recess
01:48:57 Chair Essmann, Reconvened

HEARING ON SB 380**Opening Statement by Sponsor:**

01:49:24 Sen. Cliff Larsen (D), SD 47, opened the hearing on SB 380, Increase coal tax trust fund money available for MT veteran home loans.

Proponents' Testimony:

01:55:56 Jack Walsh, veteran, self
01:58:23 Dan Antonetti, State Legislative Chairman, Montana Veterans of Foreign War (MTVFW)
01:59:53 Jim Higgins, Montana National Guard Association (MTNGA)
02:02:27 Aimee Grmoljez, Montana Bankers Association (MBA)
02:03:15 Jean Ruppert, Butte, MT, self
02:04:42 Sabrina Ravndal, National Guard soldier, self
02:05:28 Katherine Antonetti, self

Opponents' Testimony: None**Informational Testimony:**

02:06:38 Bruce Brensdal, Executive Director, Montana Board of Housing (MBOH)

Questions from Committee Members and Responses:

02:07:08 Rep. Harris
02:08:15 Sen. Larsen
02:09:21 Rep. Harris
02:09:38 Sen. Larsen
02:10:03 Rep. Hayman
02:10:34 Bruce Brensdal, MBOH
02:11:41 Rep. Price
02:12:12 Rep. Wittich
02:13:08 Sen. Larsen
02:13:35 Rep. Wittich
02:14:01 Sen. Larsen
02:15:50 Chair Essmann
02:16:25 Bruce Brensdal, MBOH
02:17:05 Chair Essmann

Closing by Sponsor:

02:17:19 Sen. Larsen
02:19:57 Chair Essmann

EXECUTIVE ACTION ON SB 380

02:20:18 **Motion/Vote:** Rep. Garner moved that **SB 380 BE CONCURRED IN**. Motion carried unanimously by voice vote. Rep. Karjala and Rep. Knudsen voted by proxy. Rep. Shaw will carry the bill.

HEARING ON SB 293**Opening Statement by Sponsor:**

02:21:54 Sen. Bradley Hamlett (D), SD 15, opened the hearing on SB 293, Eliminate statutory term limits on the legislative environmental quality council.

Proponents' Testimony:

02:24:47 Sen. Brenden (SD 17)

Opponents' Testimony: None**Informational Testimony:** None**Questions from Committee Members and Responses:**

02:28:28 Chair Essmann
 02:29:16 Sen. Hamlett
 02:30:24 Chair Essmann
 02:30:38 Sen. Hamlett
 02:31:35 Rep. Lamm
 02:31:52 Sen. Hamlett
 02:32:30 Rep. Lamm
 02:32:37 Sen. Hamlett
 02:33:19 Rep. Lamm
 02:33:23 Sen. Hamlett

Closing by Sponsor:

02:33:51 Sen. Hamlett
 02:35:17 Chair Essmann

HEARING ON HB 607**Opening Statement by Sponsor:**

02:35:37 Rep. Kirk Wagoner (R), HD 75, opened the hearing on HB 607, Revise anti-corruption and state employee protection laws.
 02:45:21 *Rep. Greef leaves*

Proponents' Testimony:

02:50:45 John Ashmore, former Department of Military Affairs employee, self
EXHIBIT(sth58a02)
 02:54:22 B.G. Stumberg, former pastor, Canyon Ferry Baptist Church, self
 03:02:32 Chair Essmann
 03:02:36 B.G. Stumberg, former pastor, Canyon Ferry Baptist Church, self
 03:02:46 Chair Essmann
 03:02:50 B.G. Stumberg, former pastor, Canyon Ferry Baptist Church, self
 03:03:19 Franklin Slifka, County Commissioner, Broadwater County
 03:05:11 Tim Ravndal, self
 03:08:32 Jean Ruppert, Butte, MT, self
 03:10:35 Chair Essmann
 03:10:41 Jean Ruppert, Butte, MT, self

03:14:13 Chair Essmann
03:14:26 Jean Ruppert, Butte, MT, self
03:15:28 Jim Brown, resident of Dillon, MT, self
03:26:33 Ed Butcher, self
03:27:49 Rep. B. Bennett
03:27:53 Ed Butcher, self

Opponents' Testimony:

03:30:24 Shawn Graham, Executive Director, Teachers Retirement System (TRS)
03:33:01 Dore Schwinden, Executive Director, Montana Public Employees Retirement Administration (MPERA)
03:34:25 Tom Schneider, Montana Public Employees Association (MPEA)
03:36:09 Jonathan Motl, Commissioner of Political Practices (COPP)

Informational Testimony:

03:39:47 Jon Bennion, Department of Justice?
03:40:03 Mary Phippen, Montana Association of Clerks of District Court (MACDC)
03:40:43 Chair Essmann

Questions from Committee Members and Responses:

03:41:15 Rep. B. Brown
03:41:53 Jon Bennion, Department of Justice (DOJ)
03:42:31 Rep. B. Brown
03:42:45 Jon Bennion, DOJ
03:43:03 Rep. B. Brown
03:43:24 Jon Bennion, DOJ
03:43:54 Rep. Wittich
03:44:48 Rep. Wagoner
03:45:11 Rep. Wittich
03:45:48 Rep. Wagoner
03:46:02 Vice Chair Schreiner
03:47:01 Rep. Wagoner
03:48:21 Vice Chair Schreiner
03:48:31 Rep. Wagoner
03:48:34 Vice Chair Schreiner
03:48:59 Rep. Wagoner
03:49:14 Rep. B. Bennett
03:49:45 Chair Essmann
03:49:53 Rep. Lamm
03:50:34 Jon Bennion, DOJ
03:51:09 Rep. Lamm
03:51:28 Jon Bennion, DOJ
03:52:05 Chair Essmann
03:52:20 Jonathan Motl, COPP
03:52:24 Chair Essmann
03:53:04 Jonathan Motl, COPP
03:53:12 Chair Essmann
03:53:15 Jonathan Motl, COPP
03:53:21 Chair Essmann
03:53:22 Jonathan Motl, COPP

03:55:44 Chair Essmann
 03:56:14 Jonthan Motl, COPP
 03:56:16 Chair Essmann
 03:56:38 Jonathan Motl, COPP
 03:56:59 Chair Essmann
 03:57:10 Jonthan Motl, COPP

Closing by Sponsor:

03:57:24 Rep. Wagoner
 03:59:10 Chair Essmann

Committee Business:

03:59:16 Vice Chair Schreiner
 04:00:21 Chair Essmann
 04:01:48 Rep. Garner
 04:02:07 Chair Essmann
 04:02:13 Rep. Garner
 04:02:30 Chair Essmann
 04:02:33 Rep. Hayman
 04:02:38 Chair Essmann

04:04:21 **Motion:** Rep. Garner moved **THAT STAFF DRAFT A COMMITTEE BILL THAT IS A STUDY RESOLUTION DIRECTING AN APPROPRIATE INTERIM COMMITTEE TO STUDY WHISTLEBLOWER AND ETHICS LAWS APPLICABLE TO STATE EMPLOYEES AND STATE PUBLIC OFFICIALS AND MAKE RECOMMENDATIONS TO THE NEXT LEGISLATURE.**

Discussion:

04:04:42 Chair Essmann
 04:05:00 Rep. Garner
 04:05:10 Rep. Price
 04:05:16 Chair Essmann
 04:05:29 Rep. Garner
 04:05:45 Rep. Wittich
 04:06:25 Vice Chair Harris
 04:07:15 Rep. B. Bennett
 04:08:20 Rep. Lamm
 04:08:50 Chair Essmann
 04:09:19 Rep. Garner
 04:09:23 Rep. Shaw
 04:10:05 Vice Chair Schreiner
 04:11:53 Chair Essmann
 04:12:45 Vice Chair Schreiner
 04:13:27 Vice Chair Harris
 04:13:35 *Rep. Wittich leaves*
 04:14:16 Rep. Shaw
 04:14:32 Chair Essmann
 04:14:49 Rep. Garner
 04:15:32 Rep. B. Bennett
 04:15:52 Rep. Garner

04:16:47 Rep. Essmann

04:16:59 Sheri Scurr, Legislative Services Division (LSD)

04:17:52 **Vote:** Motion carried unanimously by roll call vote. Rep. Funk, Rep. Greef, Rep. Karjala, Rep. Knudsen and Rep. Wittich voted by proxy.

04:19:28 Chair Essmann

ADJOURNMENT

Adjournment: 04:19:54

Jennifer Petersen, Secretary

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Additional Documents:

EXHIBIT([sth58aad.pdf](#))